

Notice of Allowability

Application No.

09/832,107

Applicant(s)

MIYANAGA, HIROSHI

Examiner

Art Unit

Joseph R. Pokrzywa

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated 10/21/05.
2. ☒ The allowed claim(s) is/are 16-34 (renumbered as claims 1-4,6,8,10,12,14,16,18,5,7,9,11,13,15,17 and 19, respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Joseph R. Pokrzywa
JOSEPH R. POKRZYWA
PRIMARY EXAMINER
ART UNIT 2622

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 10/21/05, and has been entered and made of record. Currently, **claims 16-34** are pending.

Response to Arguments

2. Applicant's arguments, see pages 10-21, filed 10/21/05, with respect to the rejection of independent **claims 16, 22, 23, and 26** are rejected under 35 U.S.C. 102(e) as being anticipated by Misawa *et al.* (U.S. Patent Number 6,771,382) have been fully considered and are persuasive. Therefore, the rejection of independent claims 16, 22, 23, and 26 has been withdrawn. Similarly, the arguments regarding independent **claims 20 and 24**, which were rejected under 35 U.S.C. 103(a) as being unpatentable over Misawa *et al.* in view of Shoujima (U.S. Patent Number 5,754,778), and independent **claims 21 and 25**, which were rejected under 35 U.S.C. 103(a) as being unpatentable over Misawa *et al.* in view of Toyoda (U.S. Patent Number 5,812,278), have been fully considered and are likewise persuasive. Therefore, the rejections of independent claims 20, 21, 24, and 25 have also been withdrawn.

Allowable Subject Matter

3. **Claims 16-34** are allowed (renumbered as **claims 1-4, 6, 8, 10, 12, 14, 16, 18, 5, 7, 9, 11, 13, 15, 17, and 19, respectively**).
4. The following is an examiner's statement of reasons for allowance:

Regarding *claims 16, and 20-26 (renumbered claims 1, 6, 8, 10, 12, 14, 16, and 18, respectively)*, upon reconsideration, in the examiner's opinion, it would not have been obvious to a person of ordinary skill in the art at the time the invention was made to have the systems, as claimed, include the features of storing a limit capacity of a mail server that indicates the maximum data amount that the mail server can store for one e-mail transmission, and comparing the amount of the e-mail to which the converted data is attached with the limit capacity of the server. Upon review of the closest prior art, previously indicated as Misawa *et al.* (U.S. Patent Number 6,771,382), the examiner concedes that Misawa fails to particularly teach of storing a limit capacity of the mail server, with the limit capacity indicating a maximum data amount that the mail server can store for one e-mail transmission. Further, no other reference was found that teaches these features. Because of this, the claims are rendered allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Pertinent Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
6. Yamamoto (U.S. Patent Application Publication 2004/0008373) discloses a e-mail receiving system that receives e-mail data deprived of an attachment due to a capacity limitation of a mail server.

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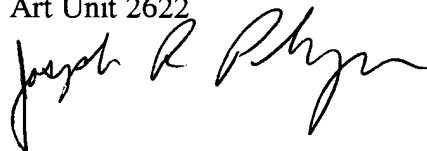
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2622



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